

SUBSTITUTE DECLARATION FOR PATENT APPLICATION

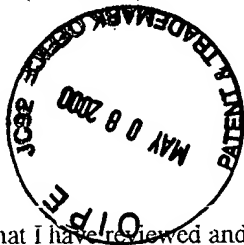
As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY

the specification of which (check one)



_____ is attached hereto

X was filed on August 27, 1998

as application Serial No. 09/141,220

_____ and was amended on: _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____

I hereby claim the benefit under Title 35, United States Code § 119(c) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date	
<u>60/074,590</u> (Number)	<u>February 13, 1998</u> (Day/Month/Year Filed)	
<u>60/074,624</u> (Number)	<u>February 13, 1998</u> (Day/Month/Year Filed)	
<u>60/074,633</u> (Number)	<u>February 13, 1998</u> (Day/Month/Year Filed)	
<u>60/073,283</u> (Number)	<u>January 31, 1998</u> (Day/Month/Year Filed)	(via 09/240,557, filed January 29, 1999 or 09/241,101, filed January 29, 1999 or 09/248,673, filed February 11, 1999)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/US96/15222
(Application Serial No.)

September 23, 1996
(Filing Date)

Pending
Status
(patented, pending, abandoned)

08/717,933
(Application Serial No.)

September 23, 1996
(Filing Date)

Pending
Status
(patented, pending, abandoned)

As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Patrea L. Pabst	31,284
Robert A. Hodges	41,074
Kevin W. King	42,737

Send Correspondence to: Patrea L. Pabst, Esq.
ARNALL GOLDEN & GREGORY LLP
2800 One Atlantic Center
1201 W. Peachtree Street
Atlanta, GA 30309-3450

Direct telephone calls to: Patrea L. Pabst (404) 873-8794

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Gary A. Bannon

Inventor's signature Gary A. Bannon Date 06-24-99

Residence 714 St. Michael Place, Little Rock, Arkansas 72211

Citizenship United States of America

Post Office Address 714 St. Michael Place, Little Rock, Arkansas 72211

Full name of second inventor A. Wesley Burks Jr.

Inventor's signature A. Wesley Burks Jr.

Date 8-28-98

Residence 2400 North Pierce, Little Rock, Arkansas 72207

Citizenship United States of America

Post Office Address 2400 North Pierce, Little Rock, Arkansas 72207

Full name of third inventor Hugh A. Sampson

Inventor's signature _____

Date _____

Residence 19 Carleon Avenue, Larchmont, New York 10538

Citizenship United States of America

Post Office Address 19 Carleon Avenue, Larchmont, New York 10538

Full name of fourth inventor Howard B. Sosin

Inventor's signature _____

Date _____

Residence 640 Sasco Hill Road, Fairfield, Connecticut 06430

Citizenship United States of America

Post Office Address 640 Sasco Hill Road, Fairfield, Connecticut 06430

U.S.N.: 09/141,220
Filed: August 27, 1998
SUBSTITUTE DECLARATION

Full name of second inventor A. Wesley Burks Jr.

Inventor's signature _____ Date _____

Residence 2400 North Pierce, Little Rock, Arkansas 72207

Citizenship United States of America

Post Office Address 2400 North Pierce, Little Rock, Arkansas 72207

Full name of third inventor Hugh A. Sampson

Inventor's signature *Hugh A. Sampson* Date 8/23/99

Residence 19 Carleon Avenue, Larchmont, New York 10538

Citizenship United States of America

Post Office Address 19 Carleon Avenue, Larchmont, New York 10538

Full name of fourth inventor Howard B. Sosin

Inventor's signature _____ Date _____

Residence 640 Sasco Hill Road, Fairfield, Connecticut 06430

Citizenship United States of America

Post Office Address 640 Sasco Hill Road, Fairfield, Connecticut 06430

Full name of second inventor A. Wesley Burks Jr.

Inventor's signature _____ Date _____

Residence 2400 North Pierce, Little Rock, Arkansas 72207

Citizenship United States of America

Post Office Address 2400 North Pierce, Little Rock, Arkansas 72207

Full name of third inventor Hugh A. Sampson

Inventor's signature _____ Date _____

Residence 19 Carleon Avenue, Larchmont, New York 10538

Citizenship United States of America

Post Office Address 19 Carleon Avenue, Larchmont, New York 10538

Full name of fourth inventor Howard B. Sosin

Inventor's signature *HB* 28 June 99 Date _____

Residence 640 Sasco Hill Road, Fairfield, Connecticut 06430

Citizenship United States of America

Post Office Address 640 Sasco Hill Road, Fairfield, Connecticut 06430



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION

Docket Number (Optional)
HS 102

Applicant, Patentee, or Identifier: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Application or Patent No.: 09/141,220

Filed or Issued: August 27, 1998

Title: METHODS AND REAGENTS FOR DECREASING
CLINICAL REACTION TO ALLERGY

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The University of Arkansas

ADDRESS OF NONPROFIT ORGANIZATION 2404 North University Avenue

Little Rock, Arkansas 72207-3608

TYPE OF NONPROFIT ORGANIZATION:

☒ **UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION**

☐ **TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))**

☐ **NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA**
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

☐ **WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))**
IF LOCATED IN THE UNITED STATES OF AMERICA

☐ **WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA**
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern, or organization is listed below.

Mt. Sinai School of Medicine of the City University of New York, One Gustave L. Levy Place,

New York, NY 10029-6574; Panacea Pharmaceuticals, LLC, 640 Sasco Hill Road, Fairfield, Connecticut 06430

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING _____

Mr. Harold J. Evans

Assoc. V.P. For Legal Affairs

TITLE IN ORGANIZATION OF PERSON SIGNING _____

University of Arkansas

2404 North University Avenue

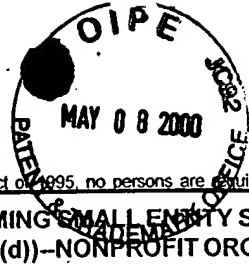
ADDRESS OF PERSON SIGNING _____

Little Rock, AR 72207

SIGNATURE _____

DATE _____

November 9, 1999



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STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION		Docket Number (Optional) HS 102
Applicant, Patentee, or Identifier: <u>Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin</u>		
Application or Patent No.: <u>09/141,220</u>		
Filed or Issued: <u>August 27, 1998</u>		
Title: <u>METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY</u>		
I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below: NAME OF NONPROFIT ORGANIZATION <u>Mt. Sinai School of Medicine of the City University of New York</u> ADDRESS OF NONPROFIT ORGANIZATION <u>One Gustave Levy Place</u> <u>New York, New York 10029-6574</u>		
TYPE OF NONPROFIT ORGANIZATION: <input checked="" type="checkbox"/> UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION <input type="checkbox"/> TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) <input type="checkbox"/> NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____) <input type="checkbox"/> WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA <input type="checkbox"/> WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____)		
I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in: <input type="checkbox"/> the specification filed herewith with title as listed above. <input checked="" type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above. I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). Each person, concern, or organization having any rights in the invention is listed below: <input type="checkbox"/> no such person, concern, or organization exists. <input checked="" type="checkbox"/> each such person, concern, or organization is listed below. <u>The University of Arkansas, 2404 North University Avenue, Little Rock, Arkansas 72207-3608</u> <u>Panacea Pharmaceuticals, LLC, 640 Sasco Hill Road, Fairfield, Connecticut 06430</u> I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) NAME OF PERSON SIGNING <u>W. Patrick McGrath, Ph.D.</u> TITLE IN ORGANIZATION OF PERSON SIGNING <u>Director, Office of Industrial Liaison</u> ADDRESS OF PERSON SIGNING <u>1 Gustave L. Levy Place, Box 1675, New York, NY 10128</u> SIGNATURE <u>W. Patrick McGrath</u> DATE <u>November 18, 1999</u>		



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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
HS 102

Gary A. Bannon, A. Wesley Burks, Jr.,
Applicant, Patentee, or Identifier: Hugh A. Sampson, and Howard B. Sosin
Application or Patent No.: 09/141,220
Filed or Issued: August 27, 1998
Title: METHODS AND REAGENTS FOR DECREASING
CLINICAL REACTION TO ALLERGY

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Panacea Pharmaceuticals, LLC

ADDRESS OF SMALL BUSINESS CONCERN 640 Sasco Hill Road
Fairfield, Connecticut 06430

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists. The University of Arkansas, 2404 North University Avenue, Little Rock, AR 72207-3608; Mt. Sinai School of Medicine of the City University of New York, One Gustave Levy Place, New York, New York 10029-6574
☒ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Howard B. Sosin

TITLE OF PERSON IF OTHER THAN OWNER _____

ADDRESS OF PERSON SIGNING 640 Sasco Hill Road, Fairfield, CT 06430

SIGNATURE *H B Sosin* DATE Nov 2, 1999